

DEC 14 2005



Fitch, Even, Tabin & Flannery

Intellectual Property Law

F A C S I M I L E

Name: U.S. Patent & Trademark Office

FAX: (571) 273-8300

Application No.: 10/678,046
Filing Date: October 1, 2003
Inventor: KONOPKA, Courtney
Art Unit: 2152
Examiner: CHANKONG, Dohm

From: Steven M. Freeland, Reg. No. 42,555 *SMF*

Today's Date: December 14, 2005
Attorney Docket No.: 81053/7114
Pages: 15 pages (including this 1-page coversheet)
Dispatched by: SMF

Transmitted herewith for filing via facsimile:

Transmittal Form (1 pg.);
Amendment B (13 pgs.);
Fax coversheet (1 pg.)

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank you.

9276 Scranton Road, Suite 250
San Diego, California 92121-7701
Telephone 858-552-1311
Fax 858-552-0095

436051_1

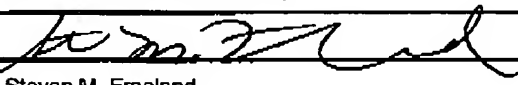
DEC 14 2005


PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/678,046	
	Filing Date	October 1, 2003	
	First Named Inventor	KONOPKA	
	Art Unit	2152	
	Examiner Name	CHANKONG, Dohm	
Total Number of Pages in This Submission	14	Attorney Docket Number	81053/7114

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Fitch, Even, Tabin & Flannery	
Signature		
Printed name	Steven M. Freeland	
Date	December 14, 2005	Reg. No. 42,555

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Steven M. Freeland	Date December 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

422923v1

RECEIVED
CENTRAL FAX CENTER

DEC 14 2005

DOCKET NO. 81053/7114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 10/678,046

Applicants: Konopka et al.

Filed: October 1, 2003

Title: Method and Apparatus for Use in
Remote Diagnostics

Examiner: CHANKONG, Dohm

Art Unit: 2152

Customer No.: 22242

Confirm. No.: 6653

Certificate of Transmission/Mailing

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Fax No. (571) 273-8300, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

12-14-05

Date

Steven M. Freeland

Registration No. 42,555

Attorney for Applicants

AMENDMENT B

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed September 14, 2005, Applicants provide the following amendments and remarks.

432221_2